



COUNCIL DATE: June 12, 2006

# **REGULAR COUNCIL**

TO:	Mayor & Council	DATE:	June 5, 2006
FROM:	General Manager, Engineering	FILE:	7805-0340
SUBJECT:	Road Closure at 68 Avenue and 140 Street		

## RECOMMENDATION

That Council authorize the City Clerk to bring forward a By-law for First, Second, and Third Readings by Council to close and remove the dedication as highway of a  $\pm 4,558$  ft.<sup>2</sup> ( $\pm 424$  m<sup>2</sup>) redundant portion of 140 Street at 68 Avenue.

## A. Property Location

The road allowance proposed for closure is located in the Newton area at 68 Avenue and 140 Street and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily residential.

#### B. Plan Designations, Zoning, and Land Uses

The adjoining property located at 13986 - 68 Avenue is currently zoned RF (Single Family Residential) and is improved with an older, single family residence. The Official Community Plan designation for this area is Urban.

## C. Purpose of Road Closure

The developer is proposing to close and consolidate the road to facilitate a six lot, single family residential subdivision. The remaining portion of redundant road to the east will be retained and used for the future Hazelnut Greenway.

# D. Land Value

The developer has agreed to provide compensation to the City equivalent to the market value as determined by a qualified professional appraiser.

# E. Process

Prior to final approval of Council, a reference plan prepared at the applicant's expense will be submitted to the Legislative Services Department requesting Introduction and Adoption of a By-law to close and remove the dedication as highway. Prior to Final Adoption of the By-law, in conformance with Sections 40 (3) and 94 of the Community Charter, notice of the closure will be advertised for two consecutive weeks in a local newspaper, and a notice will be posted at City Hall. The advertisement provides information to the public at large on the details of the closure and indicates that all pertinent data can be obtained from the Realty Services Division. All concerns from the public will be addressed prior to completion of the closure. In addition, as required under Section 40 (4) of the Charter, notice of the City's intention to close the portion of road will be directed to all utility companies considered to be affected by the proposed closure. Legislative Services will then request Council to provide Final Adoption of the By-law. Upon completion of these requirements, the By-law will then be registered at the Land Title Office. The Realty Services Division will then advertise the disposition of the portion of road in a local newspaper and will post a notice at City Hall as prescribed under Sections 26 and 94 of the Charter. The advertisement and notice will contain a description of the land. Upon completion of these items, a final report will be submitted to Council to approve the sale. The City will then prepare transfer documents to transfer the portion of road to the applicant, and registration will take place at the Land Title Office.

## E. Conclusion

The road closure allows the developer to close and consolidate the redundant surplus portion of road to facilitate a six lot residential subdivision. The portion of road to be closed and consolidated is not needed for road purposes and does not affect the surrounding area.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the road closure have been consulted. With the exception of Terasen Gas, all have indicated that the closing of this portion of road does not affect their services. The developer has agreed to provide a statutory right-of-way to protect the gas line located in the portion of road to be closed and consolidated.

The terms of the proposed closure are considered reasonable and the Planning and Parks Departments support this road closure.

Paul Ham, P. Eng. General Manager, Engineering

GT/mpr

http://surrey.ihostez.com/content/uploaded/3beace89e5414c80b1c85f82c9fa9b27-r109.doc C 7/15/10 1:56 PM

Appendix I: Aerial Photograph of Site